

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Prison Department – Appeal Petition filed by Sri S.Md.Rafi, former Deputy Jailor, District Jail, Adilabad – Appeal Petition partly allowed – Orders – Issued.

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**HOME (PRISONS) DEPARTMENT**

**G.O.MS.NO. 173**

**DATED:11-10-2012**

**Read the following:-**

1. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Memo. No.EB3/ 436/ 2008-2, dated 12-09-2008
2. From the Enquiry Officer, Letter No.PACCh/S/2816/2009, dated 02-07-2009.
3. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Proc. No.EB3/436/2008-4, dated 24-12-2010.
4. Orders of APAT, Hyderabad in OA No.9536/2011, dated 31-01-2012 filed by Sri Md.Rafi,
5. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, Letter No.EB3/851/2010, dated 25-02-2012.
6. Sri S.Md.Rafi, former Deputy Jailor, District Jail, Adilabad, Appeal Petition, dated 03-03-2012.

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**ORDER:**

Whereas certain irregularities were found in District Jail, Adilabad in the maintenance of records, stores and payments, a special audit party was deputed to the District Jail, Adilabad by the Director General of Prisons and Correctional Services, A.P., Hyderabad for making detailed audit in the matter. Accordingly special audit team have submitted their report stating that there was a total failure in complying with financial Rules and Codal provisions as well as Government instructions and some irregularities and misappropriation of Government funds, Sri S.Md.Rafi, former Deputy Jailor, District Jail, Adilabad and 3 others were placed under suspension. Subsequently disciplinary proceedings were initiated duly framing the Article of charges against Sri S.Md.Rafi, former Deputy Jailor, District Jail, Adilabad. After due procedure viz., explanation of the charged officer, examination of the report submitted by the Enquiry Officer and representation thereon of the charged officer, the Director General of Prisons and Correctional Services, A.P., Hyderabad vide reference 3<sup>rd</sup> read above issued orders imposing the penalty of "Dismissal from Service" with immediate effect for the charges held proved.

2. Aggrieved by the orders, Sri S.Md.Rafi, former Deputy Jailor, District Jail, Adilabad, has filed an Appeal Petition to the Government, under Rule 33 of the A.P.Civil Services (CCA) Rules, 1991 to set-aside the penalty of "Dismissal" orders issued by the Director General of Prisons and Correctional Services, A.P., Hyderabad as he was experiencing lot of financial and mental hardships as the delinquent-I Sri K.Dhanaraj, formerly Superintendent, Adilabad was already reinstated in to service by modifying his penalty of dismissal from service on appeal by the Government vide G.O.Ms.No.180 Home (Prisons.A) Department, dated 11-07-2011,

3. Sri S.Md.Rafi also filed OA in the APAT and the APAT in its orders dated 31-01-2012 set aside the impugned orders and remanded the matter to the respondents to review the case of the applicant and impose appropriate punishment for the lapses on the part of the applicant.

(P.T.O)

4. Government have examined the matter carefully in consultation with the Director General of Prisons and Correctional Services, A.P., Hyderabad and taking into consideration of the contents of the representation of the appellant and modification orders issued in favour of Sri K.Dhanaraju who was the main delinquent, and keeping in view the direction of the APAT, Hyderabad in OA.No.9536 of 2010, dated 31-01-2012 hereby decide to modify the penalty of dismissal from service issued by the Director General of Prisons and Correctional Services, A.P., Hyderabad vide proceedings 3<sup>rd</sup> read above.

5. Accordingly, the Government in exercise of powers conferred under Rule 33 of the A.P.Civil Services (CCA) Rules, 1991 hereby allow the appeal petition partly duly modifying the penalty of dismissal from service imposed by the disciplinary authority i.e. Director General of Prisons and Correctional Services, A.P., Hyderabad of Sri S.Md.Rafi, former Deputy Jailor to that of **“Reduction in time Scale of pay by 2 stages for 2 years with cumulative effect on future increments and pension’ and to treat the period of suspension and out of employment as not on duty and also to recover actual loss if any sustained to Government from the individual duly issuing show cause notices”**.

6. Further, the individual is informed that he should be careful in the discharge of his duties in future and if any lapse/ irregularities or any other misconduct ,etc., is committed again it will be viewed seriously and he will be liable for stringent action.

7. The Director General of Prisons and Correctional Services, A.P., Hyderabad, shall take necessary action accordingly, in the matter

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**M.CHAYA RATAN  
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The Director General of Prisons and Correctional Services, A.P., Hyderabad.

**Copy to:**

The individual concerned, through the Director General of Prisons and Correctional Services, A.P., Hyderabad.

The Inspector General of Prisons, Hyderabad.

The Deputy Inspector General of Prisons (TR), Hyderabad.

The Deputy Inspector General of Prisons (CAR), Rajahmundry.

The Director of Treasuries & Accounts, A.P., Hyderabad.

SF/SCs.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**